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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,448	05/23/2001	Satoshi Iwata	1075.1167	8881

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER	
CAMPBELL, JOSHUA D	
ART UNIT	**PAPER NUMBER**
2179	

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/862,448	IWATA ET AL.	
	Examiner	Art Unit	
	Joshua D Campbell	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 November 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 11/15/2004.

2. Claims 1-20 are pending in this case. Claims 1 and 13 are independent claims.

Claims 1 and 13 have been amended.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 and 13-14 remain rejected under 35 U.S.C. 102(b) as being anticipated by Endo et al. (hereinafter Endo, US Patent Number 5,801,713, issued on September 1, 1998).

Regarding independent claim 1, Endo discloses a method in which a document made up of pages is displayed to user to be read (column 4, lines 6-47 of Endo). Endo discloses that a user may control the display state of the displaying section (column 4, lines 6-47 of Endo). Endo also discloses a method in which each page may displayed as a whole or an automatic paging sequence that may be set to different speeds will automatically scroll the pages in succession based a display speed (column 2, line 42-column 3, line 50 of Endo). Endo discloses the ability for the user to select from the basic read mode and a plurality of automatic paging modes, this control ultimately

controlling what is displayed and how it is controlled (column 3, line 29-column 4, line 63 of Endo).

Regarding dependent claim 2, Endo discloses a method in which the document may be scrolled in at least two modes; strict mode (cursory mode) which would allow for a user to read the page and view the outlines and lazy mode (general view mode) which is faster and would simply allow the user to get a good look at the page as a whole (Figure 4 and column 6, lines 24-64 of Endo).

Regarding independent claim 13 and dependent claim 14, the claims incorporate substantially similar subject matter as claim 1 and 2. Thus, the claims are rejected along the same rationale as claims 1 and 2.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 3-12 and 15-20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Endo et al. (hereinafter Endo, US Patent Number 5,801,713, issued on September 1, 1998) as applied to claims 1-2 and 13-14 above, and further in view of Palmer et al. (hereinafter Palmer, US Patent Number 6,002,798, issued on December 14, 1999).

Regarding dependent claims 3-7, Endo does not disclose a method in which only the title, a layout-display, document element according to a predetermined condition such as font type and size, and that only an image would be extracted from each page of the document for display. However, Palmer discloses a method in which a document display program will only extract and display the title of documents, the layout of documents, a document element according to font type or size, or an image contained in documents based on the users preferences (Figure 6 and column 6, line 37-column 8, line 63 of Palmer). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Endo with the methods of Palmer because it would have allowed for rapid browsing of documents.

Regarding dependent claim 8, Endo does not disclose a method in which a page is displayed schematically by changing the display resolution. However, Palmer discloses a method in which changing the display resolution allows for more rapid viewing of a document with loss of quality, allowing a user to view the document as a

schematic rather than a highest quality (column 1, line 30-column 2, line 54 of Palmer). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Endo with the methods of Palmer because it would have allowed for rapid browsing of documents.

Regarding dependent claims 9 and 10, Endo discloses a method in which the speed at which the pages are scrolled may be set in each mode (column 3, line 29-column 4, line 63 of Endo). Endo does not disclose that each display method is established in each mode. However, Palmer discloses a method in which each display method may be individually established for the document viewing process (column 6, line 37-column 8, line 63 of Palmer). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Endo with the methods of Palmer because it would have allowed for rapid browsing of documents.

Regarding dependent claims 11 and 12, Endo discloses a method in which in which different modes may be selected and the paging display mode is based on the selections (column 3, line 29-column 4, line 63 of Endo). Endo does not disclose that the selection process consists of switches. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of Endo with a method of using switches because it was well known in the art at the time of the invention that a selection process as disclosed by Endo consists of a set of logic that is determined based on selections which could be thought of as virtual switches.

Regarding dependent claims 15-20, the claims incorporate substantially similar subject matter as claims 3-8. Thus, the claims are rejected along the same rationale as claims 3-8.

Response to Arguments

8. Applicant's arguments filed 11/15/2004 have been fully considered but they are not persuasive.

9. Regarding the arguments on pages 6-10 with regards to claims 1, 2, 13, and 14, the examiner feels that the invention as claimed is taught in the prior art as shown by the rejection. In response to applicant's argument, page 7, final paragraph, that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "users can select an optimal paging speed according to their visual properties... page turning of all the pages of an electronic book can be performed at speeds optimum to the speed of human perception...") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). However, Endo does disclose a method of allowing the user to automatically set a paging speed (display time per page) with each automatic paging display mode, and to automatically set a display method with each of the paging display mode (each speed), see rejection above and also see Figure 3 (options A1-A4 and their respective operations) and column 5, lines 16-48 of Endo for further clarification.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC
February 17, 2005

HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100